

UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

In re)	Chapter 7
)	
M3CVP - CLUBHOUSE LENOX)	Case No. 08-25462
SQUARE, LLC,)	
)	
Debtor.)	Honorable Pamela S. Hollis

**FIRST AND FINAL APPLICATION OF TRUSTEE'S COUNSEL
FOR COMPENSATION AND REIMBURSEMENT OF EXPENSES**

R. SCOTT ALSTERDA and UNGARETTI & HARRIS LLP (collectively "U&H"), counsel for the Trustee pursuant to 11 U.S.C. §330 and FRBP 2016 submits this first and final application for compensation and reimbursement of expenses and represents to the Court as follows:

1. The Debtor filed its voluntary petition under Chapter 7 on September 24, 2008.
2. The first meeting of creditors was originally scheduled on November 12, 2008, and the Trustee conducted an extended examination of the Debtor's representative on December 6, 2008.
3. On April 21, 2009, an order was entered approving the employment of U&H as counsel for the Trustee. A copy of the April 21, 2009 Order approving the employment of Ungaretti & Harris LLP as counsel for Trustee is attached hereto as Exhibit "A."
4. U&H is requesting the allowance and payment of \$4,785.50, in compensation for 17.70 hours of services performed during the period from March 12, 2009 through February 3, 2010.
5. A description of the nature of the services rendered and the major activities undertaken by U&H on behalf of the Trustee in this case are as follows:

6. Employment of Bankruptcy Counsel. U&H provided 3.00 hours of services to the Trustee with a value of \$729.00 in connection with the Trustee's motion to employ U&H as his bankruptcy counsel. The Trustee needed counsel to address various issues with the landlord and equipment lessors. The services included drafting the motion, the declaration and the proposed order, and attending the hearing on the motion, which was granted on April 21, 2009.

7. Landlord's Motion to Modify the Stay. U&H provided 2.00 hours of services to the Trustee with a value of \$906.00 related to the Landlord's motion to modify the stay to allow the Landlord to remove the Debtor's restaurant equipment and personal property from the premises. The Trustee's counsel appeared in court for the hearing on the Landlord's motion and thereafter the Trustee's counsel drafted and presented a motion to extend the effective date of the abandonment order to provide the Trustee with some additional time to get an auctioneer to inspect the Debtor's personal property for a potential auction.

8. Equipment Lease Rejections. U&H provided 10.50 hours of services to the Trustee with a value of \$2,537.50 in connection with the Trustee's rejection of various restaurant equipment leases. These services included reviewing the Debtor's leased equipment information, drafting the motion to reject the equipment leases and appearing in Court for the hearing on the motion. The Trustee's counsel also spent time locating various equipment lessors and serving the equipment lessors with a notice of the entry of the lease rejection order and directions for contacting the landlord to get possession of the leased equipment. The Trustee's counsel had several telephone and written communications with various representatives of the equipment lessors.

9. Claims. U&H provided 2.20 hours of service to the Trustee with a value of \$613.00 related to the claims of various creditors. The Trustee's counsel reviewed certain equipment rejection claims and assisted a creditor in filing a claim with the Clerk's Office.

10. Summary of Services. The services provided to the Trustee by U&H are summarized as follows:

<u>CATEGORY</u>	<u>HOURS</u>	<u>VALUE</u>
Employment of Bankruptcy Counsel	3.00	729.00
Landlord's Motion to Modify Stay	2.00	906.00
Equipment Lease Rejections	10.50	2,537.50
Claims	2.20	613.00
TOTALS	17.70	\$4,785.50

11. Attached as Exhibit "B" is an itemized statement of the legal services rendered by U&H. The statement reflects the legal services rendered, the time expended and a description of the work performed.

12. The time expended and services rendered by the individual U&H attorneys are summarized as follows:

<u>Attorney</u>	<u>Hours</u>	<u>Hourly Rate</u>	<u>Total</u>
R. Scott Alsterda	3.50	\$495.00	1,732.50
Patrick F. Ross	14.20	\$215.00	3,053.00
TOTAL	17.70		\$4,785.50

13. Exhibit "B" also includes an itemized statement of the actual expenses incurred by U&H in connection with its representation of the Trustee. This expense includes copying in the amount of \$45.40 (10 cents per page), long distance telephone in the amount of \$1.00 (at cost), and postage in the amount of \$20.93 for a total amount of \$67.33.

14. Based on the nature, extent and value of services performed by U&H, the results achieved, and the costs of comparable services, the compensation and reimbursement of expenses sought are fair and reasonable.

15. At all times during U&H's representation of the Trustee, U&H was a disinterested person and neither represented nor held an interest adverse to the estate with respect to matters on which U&H was employed.

WHEREFORE, U&H requests that it be awarded reasonable compensation in the amount of \$4,784.50 for legal services rendered in this case and reimbursement of actual and necessary expenses in the amount of \$67.33.

DATE: August 10, 2012

Respectfully Submitted

UNGARETTI & HARRIS LLP

/s/ R. Scott Alsterda

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